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**\*E-FILED - 10/15/09\***

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICAN,

No. CR-07-00106-RMW

Plaintiff,

vs.

STIPULATION TO CONTINUE  
SENTENCING DATE AND  
ORDER

FRANCISCO TORRES-FELIX,

Defendant.

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The above listed parties stipulate as follows:

1. Defendant Francisco Torres-Felix is currently scheduled to be sentenced by the Honorable Ronald M. Whyte on 9/28/09 at 9:00 a.m. Due to a lengthy preliminary hearing, two trials and difficulty lining up an interpreter defense counsel has been unable to meet with Mr. Torres-Felix to go over his pre-sentence report.

2. Defense counsel wishes a continuance and AUSA Fonda does not object. The date of 10/13/09 works best for both counsel.

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1 Therefore the parties respectfully request that the Court  
2 continue defendant's sentencing from September 28, 2009 to October  
3 13, 2009 at 9:00 a.m.  
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IT IS SO STIPULATED

/s/

Dated: 9/24/09

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Jack Gordon  
Attorney for Defendant

Dated: 9/24/09

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Grant Fondo  
Assistant U.S. Attorney

[] ORDER

Having considered the stipulation of the parties, and good cause appearing, the Court orders that defendant Francisco Torres-Felix sentencing is continued from September 28, 2009 to October 13, 2009 at 9:00 a.m.

IT IS SO ORDERED.

DATED: 10/15/09



The Honorable Ronald Whyte  
District Court Judge